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Arcadia Group Brands Limited*

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEVADA APPAREL CORP.,

Plaintiff,

v.

ARCADIA GROUP BRANDS LIMITED,

Defendant.

Civil Action No.: 06 CV 3986 (DC)

**NOTICE OF MOTION**

ECF Case

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**PLEASE TAKE NOTICE** that upon the memorandum of law, the accompanying declaration of Jane Sheperdson, dated July, 11, 2006, the declaration of Karen Artz Ash, dated July 12, 2006, and the exhibits thereto, and upon all prior pleadings and proceedings had herein, Defendant/Counter-Plaintiff Arcadia Group Brands Limited ("Arcadia") will move this court, before the Honorable Denise Cote at the United States Courthouse for the Southern District of New York, located at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for the entry of a temporary restraining order and

preliminary injunction enjoining and restraining Plaintiff/Counter-Defendant Nevada Apparel Corp. ("Nevada") from upsetting the "status quo" established by this Court's June 23, 2006 Temporary Restraining Order by engaging in an advertising and promotional campaign initiated by Nevada on Monday, July 10, 2006, to gain an unfair competitive advantage in the marketplace over Arcadia and to create confusion among U.S. customers pending the expedited trial in this matter. Arcadia further moves this Court to modify the June 23, 2006 Temporary Restraining Order to increase the bond amount posted by Nevada as security for the Court's prior order, given the increased risk of harm to Arcadia, together with such other relief as this court deems just and proper.

Dated: July 12, 2006

KATTEN MUCHIN ROSENMAN LLP

By: 

James Tampellini (JT 0529)

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